### UNITED STATES BANKRUPTCY COURT Northern District of California (San Jose)

In re: Case Number: 10–59396 ASW 7
Majid Marhamat Chapter: 7

Majid Marhamat 18394 Montpere Way Saratoga, CA 95070–4746

Debtor(s)

**Debtor/Joint Debtor Social Security Number(s):** 

xxx-xx-7753

### **DISCHARGE OF DEBTOR AND FINAL DECREE**

It appearing that the debtor(s) is/are entitled to a discharge, **IT IS ORDERED**: The debtor(s) is/are granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

It further appears that the trustee, Mohamed Poonja in the above–entitled case has filed a report of no distribution and said Trustee has performed all other and further duties required in the administration of said estate; accordingly, it is hereby

ORDERED that the chapter 7 case of the above–named debtor is closed; that the Trustee is discharged and relieved of said trust.

Dated: <u>12/8/10</u> By the Court:

Arthur S. Weissbrodt United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

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# EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

#### **Collection of Discharged Debts Prohibited**

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a discharged debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. [In a case involving community property:] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor. [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the discharged the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

## **Debts That are Discharged**

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

## Debts that are Not Discharged.

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes:
- b. Debts incurred to pay nondischargeable taxes (applies to cases filed on or after 10/17/2005);
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans (applies to cases filed on or after 10/17/2005).

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

# CERTIFICATE OF NOTICE

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Date Rcvd: Dec 09, 2010

User: admin

District/off: 0971-5

Case: 10-59396 Form ID: ODSC7fi Total Noticed: 30 The following entities were noticed by first class mail on Dec 11, 2010. db Majid Marhamat, 18394 Montpere Way, Saratoga, CA 95070-4746 CA Employment Development Dept., Bankruptcy Group MIC 92E, P.O. Box 826880, sma Sacramento, CA 94280-0001
Secretary of The Treasury, 15th and Pennsylvania Ave. NW, +State Board of Equalization, Attn: Special Procedures Sect Washington, DC 20220-0001 smq Attn: Special Procedures Section, MIC:55, P.O. Box 942879, smg 94279-0001 c/o Angela C. Dawson, Esq., 5120 Campus Drive, Newport Be Sacramento, CA 94279-0001 11247175 +Discover Bank, Newport Beach, CA 92660-2101 Employment Development Department, Bankruptcy Unit-MIC 92E, 11247178 Sacramento, CA 94280-0001 +Fiscal Agent of the Santa Clara County, Library District Joint Powers, Los Gatos, CA 95032-1817 11247180 14600 Winchester Blvd., +Kaiser Foundation Health Plan, Inc., One Kaiser Plaza, Oakland, CA 94612-3610 +LHR, Inc., 56 Main Street, Hamburg, NY 14075-4905 +Lawrence Wu & Melea Men, c/o Stephen R. Oliver, Esq., Oliver & Stephenson, 11247187 11247189 11247188 Oliver & Stephenson, 2176 The Alameda, San Jose, CA 95126-1144 Nissan Infiniti LT, c/o IFS Customer Service, Dallas, TX 75266-0360 One Embarcadero Center, 11247191 PO Box 660360, Hissan Motor Acceptance Corporation, c/o Severson & Werson, PC, Ste. 2600, San Francisco, CA 94111-3715

+Rescomm Holdings No. 2, LLC, c/o Michael S. Polk, Esq., 20750
Woodland Hills, CA 91364-6207 11247192 11247193 20750 Ventura Blvd., #100, +Santa Clara County Tax Collector, 70 West Hedding Street, 11247194 East Wing, 6th Flor, San Jose, CA 95110-1705 11247196 +The State Board of Equalization, PO Box 942879, Sacramento, CA 94279-0001 11247197 +Unified CCR Partners, c/o Matthew W. Quail, Esq., 5200 N. Palm Avenue, #401, Fresno, CA 93704-2227 +Unifund, 10625 Techwoods Circle, Cincinnat: +Western Sur. Co., c/o John L. Fallat, Esq., San Rafael, CA 94901-3349 Cincinnati, OH 45242-2846 Lat, Esq., 523 Fourth Street, #210, 11247199 11247201 The following entities were noticed by electronic transmission on Dec 10, 2010. tr EDI: QMPOONJA.COM Dec 09 2010 22:53:00 Mohamed Poonja, P.O. P.O. Box 1510, Los Altos, CA 94023-1510

EDI: EDD.COM Dec 09 2010 22:53:00 CA Employ
P.O. Box 826880, Sacramento, CA 94280-0001

EDI: CALTAX.COM Dec 09 2010 22:53:00 CA Fra CA Employment Development Dept., Bankruptcy Group MIC 92E, smg CA Franchise Tax Board, Attn: Special Procedures, smq P.O. Box 2952, Sacramento, CA 95812-2952 EDI: RECOVERYCORP.COM Dec 09 2010 22:58:00 Capital Recovery IV LLC, 25 SE 2nd Avenue, Suite 1120, regntc c/o Recovery Management Systems Corporat, Miami, FL 33131-1605 EDI: AMEREXPR.COM Dec 09 2010 22:53:00 11247172 American Express Credit Cards, PO Box 360001, Fort Lauderdale, FL 33336-0001 11247173 +EDI: BANKAMER2.COM Dec 09 2010 22:53:00 Bank of America, 300 Ellinwood Way, Suite 201, Pleasant Hill, CA 94523-4811
EDI: BANKAMER.COM Dec 09 2010 22:53:00
Wilmington, DE 19886-5019
EDI: RECOVERYCORP.COM Dec 09 2010 22:58:00 11247174 Bank of America, PO Box 15019, 11342666 Capital Recovery IV LLC, 25 SE 2nd Avenue, Suite 1120, c/o Recovery Management Systems Corp., Miami, FL 33131-1605, Attn: Ramesh Singh
EDI: DISCOVER.COM Dec 09 2010 22:53:00 Discover Fin. Svcs., LLC,
New Albany, OH 43054-3023
EDI: EDD.COM Dec 09 2010 22:53:00 Employment Development Department
Bankruptcy Unit-MIC 92E, PO Box 826880, Sacramento, CA 94280-0001
+E-mail/Text: BKNOTICES@EAFLLC.COM Equable Asce Discover Fin. Svcs., LLC, PO Box 3023, 11247176 11247178 Employment Development Department, 11247179 Equable Ascent Financial, 1120 W. Lake Cook Road, Suite B, Buffalo Grove, IL 60089-1970 EDI: CALITAX.COM Dec 09 2010 22:53:00 Sacramento, CA 95812-2952 EDI: IRS.COM Dec 09 2010 22:53:00 Franchise Tax Board, 11247181 Bankruptcy Unit, PO Box 2952, 11247186 Internal Revenue Service, Centralized Insolvency, PO Box 21226, Philadelphia, PA 19114 +EDI: MID8.COM Dec 09 2010 22:58:00 Midland Credit Mgmt., 8875 Aero Drive, Suite 200, 11247190 San Diego, CA 92123-2255 TOTAL: 14 \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*
Discover Fin. Svcs., LLC, PO Box 3023, New Albany, OH 4:
Franchise Tax Board, Bankruptcy Unit, PO Box 2952, Sac
Franchise Tax Board, Bankruptcy Unit, PO Box 2952, Sac
Franchise Tax Board, Bankruptcy Unit, PO Box 2952, Sac
+Santa Clara County Tax Collector, 70 West Hedding Street, 11247177\* New Albany, OH 43054-3023 11247182\* Sacramento, CA 95812-2952 Sacramento, CA 95812-2952 Sacramento, CA 95812-2952 11247183\* 11247184\* 11247195\* East Wing, 6th Flor, +Santa Clara County Tax Collector, San Jose, CA 95110-1705 +Unified CCR Partners, c/o Matthew Fresno, CA 93704-2227 +Unifund, 10625 Techwoods Circle, c/o Matthew W. Quail, Esq., 11247198\* 5200 N. Palm Avenue, #401, +Unifund, 10625 Techwoods Circle, Cincinnati, On 13212 2010 ##+GreenPoint Mortgage Funding, 100 Wodd Hollow Drive, Novato, CA 94945-1424 TOTALS: 0, \* 7, ## 1 11247200\* 11247185 Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.

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Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices

will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The

debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

USPS regulations require that automation-compatible mail display the correct ZIP.

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\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 11, 2010

Joseph Spertjens